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TAGS: [PREL](#) [PHUM](#) [ETTC](#) [MCAP](#) [KN](#) [UNSC](#)
SUBJECT: DPRK: SANCTIONS COMMITTEE PRESSES ON 1874
IMPLEMENTATION

Classified By: Amb. Alejandro Wolff for Reasons 1.4 (B), (D)

11. (C) The UNSC's DPRK Sanctions Committee ("1718 Committee") met on January 20 to push forward on a number of items related to implementation of UN sanctions imposed on North Korea. China opened the meeting with a lengthy statement reaffirming its support for sanctions implementation, but insisting that the Committee's work should not affect ongoing diplomatic efforts on denuclearization. The Committee reviewed an assessment of reports from Member States on their implementation of the sanctions and agreed to send letters to States that have still not reported as required by UNSCR 11874. The Committee agreed to solicit more information from States involved in a sanctions violation reported by Thailand in December. Russia, noting a report from South Korea involving the transfer of North Korea-origin chemical protection suits, expressed doubt that these items should be considered "arms-related materiel" (and therefore banned for transfer) but suggested that additional technical information could resolve this question. China complained about leaks from the Committee. Russia raised the problems experienced by the Russian embassy in Pyongyang due to "some states going too far" in implementing sanctions. The POE informed the Committee that UN security has detected attempted computer penetration of its computer network, although no confidential information was compromised. END SUMMARY.

12. (C) On Wednesday January 20, the UNSC's DPRK Sanctions Committee ("1718 Committee") held its first meeting of 2010 to push forward on a range of issues related to the implementation of UN sanctions imposed on North Korea through UNSCRs 1718 and 1874. (NOTE: The Committee has met rarely since summer 2009, preferring instead to do most of its work through paper exercises. END NOTE.). Turkish Perm Rep Apakan chaired the meeting.

13. (C) Conveying instructions from Beijing, the Chinese delegate delivered a lengthy statement to the Committee laying out China's perspective on sanctions implementation. He reiterated China's commitment to 1718/1874 implementation and said that China would support the work of the Committee. The delegate noted, however, that there had been "recent signs of relaxation" on the Korean Peninsula, increased contact among the parties and an opportunity to break the impasse on the Six-Party Talks. Noting that the goal of sanctions was to promote a negotiated settlement to the nuclear issue, he observed that the Committee's work should therefore not affect ongoing diplomatic efforts. Regarding the Panel of Experts (POE), an independent team mandated in UNSCR 1874 to help the Committee monitor and improve sanctions implementation, the Chinese delegate emphasized that the POE must "accept the leadership of the Committee" and be "neutral" on issues about which there is disagreement within the Committee.

IMPLEMENTATION REPORTS: ENGAGEMENT MEMBER STATES

¶4. (C) The Committee reviewed a POE-drafted assessment of reports from Member States on their implementation of UNSCR 1874. (NOTE: UNSCR 1874 required Member States to report on their implementation of the sanctions within 45 days; as of January 20, only 47 states have fulfilled this requirement). The assessment identified which states had submitted reports, as well as those states that had submitted incomplete reports. The Japanese, U.S., UK and French delegates agreed that the POE assessment was a solid and useful document. The U.S. and Japanese delegates suggested the Committee should reach out to those countries that had not yet reported or had provided inadequate reports and that the POE should recommend additional ways that the Committee could use this exercise to engage Member States on implementation. The chair proposed, and the Committee agreed, that the Committee send a Note Verbale to Member States urging them to submit reports in a timely manner.

SANCTIONS VIOLATIONS: THAILAND ARMS SEIZURE; SOUTH KOREA SUITS

¶5. (C) The chair noted that the Committee had received a report from Thailand in late December regarding the seizure of arms aboard a plane flying from the DPRK. In response to this report, he proposed that the Committee send letters to all of the involved states to request more information. The U.S. delegate noted that Thailand had apparently behaved in an exemplary manner and should be congratulated for its efforts to implement UNSCR 1874. He also noted that the Committee's letters to other involved states should follow

the precedent established with previous sanctions violations, as well as precedents followed in the Iran Sanctions Committee ("1737 Committee") to respond to similar incidents.

The U.S. delegate added that the POE has a vital role in helping the Committee investigate and respond appropriately to this incident. The Japanese and Russian delegates supported these points.

¶6. (C) The Russian delegate drew the Committee's attention to another alleged sanctions violation: a report from South Korea that it had intercepted the transfer of North Korea-origin suits designed for chemical warfare protection. The Russian delegate said that the South Korea-provided documentation made it difficult to determine whether the gear actually constituted "arms-related materiel" for the purposes of UNSCR 1874 (and therefore would be banned for transfer from North Korea) and further suggested that these suits could be used for civilian purposes. In order to make an exact determination, he said, it would be necessary to have South Korea provide more detailed technical specifications. (NOTE: This is a more accommodating position than we have heard before; previously, the Russian delegate has said more categorically that the items were not "arms-related materiel."). The Russian delegate proposed the Committee write to South Korea to solicit more details.

¶7. (C) Regarding this incident, David Birch, the Coordinator of the POE, informed the Committee that the POE had just recently finalized an "Interim Incident Report" about these suits. The POE circulated a copy of this report (emailed to IO) to the Committee, including a CD of photographs of the suits. The U.S. delegate noted that these items appeared to be "OZK suits" designed primarily for military use -- and therefore clearly "arms-related materiel" -- and urged the Russian delegate and other Committee members to study the POE report carefully. (NOTE: After the Russians have had time to digest this report, USUN will press them to agree to a Committee determination that a sanctions violation has indeed occurred. END NOTE.)

OTHER ISSUES: CONFIDENTIALTY, DIPLOMATIC MISSIONS, SECURITY, TRAVEL

¶8. (C) The Chinese delegate complained that multiple Committee documents have been leaked to the press in recent months, including the POE's interim report from November. In this regard, he noted that Syria had recently sent a letter to the Committee regarding a sanctions violation reported confidentially by South Korea (the chemical warfare suits). The Chinese delegate observed that Syria's letter responded to -- and even cited by reference number -- confidential Committee documents that had not been shared outside the Committee. He asked the chair to investigate how this document was leaked.

¶9. (C) The Russian delegate raised -- for the second time in recent months -- problems that the Russian Embassy in Pyongyang has been experiencing due to "some states going too far" in implementing 1718 and 1874. He said that the embassy had experienced new problems, including an inability to pay a 4,000 euro phone/internet bill to a Chinese provider, due to private sector reluctance to do business in heavily-sanctioned North Korea. He proposed that the Committee send a Note Verbale warning states against overzealous implementation and drawing states' attention to paragraph 21 of UNSCR 1874 (NOTE: According to this provision, Member States should implement the asset freeze and ban on the transfer of luxury goods without prejudice to the activities of diplomatic missions pursuant to the Vienna Convention. END NOTE).

¶10. (C) The U.S. delegate said the United States had originally preferred not to send a Note Verbale on this issue until the problem could be studied further and the experiences of other missions in Pyongyang could be analyzed. After subsequent bilateral consultations, he said, the United States was now prepared to accept a carefully-worded NV that pointed to paragraph 21 of UNSCR 1874. The U.S. delegate noted that the Committee could not force private sector companies from doing business in the DPRK, a country associated with grave financial and money laundering risks, but that the Committee could indeed encourage Member States to implement 1874 fully. The Brazilian delegate said that Brazil's embassy in Pyongyang had also experience problems. The Japanese delegate suggested that the language Russia sought in a NV could be included in the NV that the Committee had previously agreed to send to Member States regarding the need to submit implementation reports. The Committee agreed.

¶11. (C) POE Coordinator Birch informed the Committee that UN security personnel had detected two attempted penetrations into the POE's computer network. He emphasized that these hacker attacks did not, however, compromise confidential POE information that had been stored on a separate computer system. (NOTE: USUN has heard separately that these attacks may have been linked to IP addresses traced to North Korea. END NOTE.)

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